



United States Department of Education. Affected lenders and postsecondary educational institutions will be identified from information compiled by the United States Department of Education and by the coordinating board.

(B) The coordinating board will send written notification to these entities by first class mail initially in August 1986 and in even-numbered years after. The notification will contain the requirements of the statutes. The form for the annual report and instructions for completion will be mailed to the affected guaranty agencies annually, beginning in June 1987.

AUTHORITY: section 173.186, RSMo 1994.*
Original rule filed Oct. 15, 1986, effective March 12, 1987.

*Original authority: 173.186, RSMo 1986.

6 CSR 10-2.100 Public Safety Officer or Employee's Child Survivor Grant Program

PURPOSE: The public safety officer or employee's child survivor grant program, established by section 173.260, RSMo, authorizes the Coordinating Board for Higher Education to provide educational benefits for eligible Missouri residents who are public safety officers who are permanently and totally disabled in the line of duty or eligible children or spouses of certain public safety officers and certain public employees killed or permanently and totally disabled in the line of duty to attend an approved Missouri college or university. This rule sets forth qualifications required of student applicants for grant assistance.

(1) Definitions.

(A) Academic year or the period of the grant is the period from July 1 of any year through June 30 of the following year.

(B) Applicant shall mean an eligible child, spouse, or public safety officer, as defined in this rule, who has filed a complete and accurate application to receive a survivor grant as prescribed by the CBHE and who qualifies to receive such an award under section 173.260, RSMo.

(C) CBHE is the Coordinating Board for Higher Education created by section 173.005, RSMo.

(D) Eligible child is the natural, adopted, or stepchild of a public safety officer or employee who is less than twenty-four (24) years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and

total disability of a public safety officer or employee.

(E) Employee shall be any full-time employee of the Department of Transportation engaged in the construction or maintenance of the state's highways, roads, and bridges who is killed or permanently and totally disabled in the line of duty.

(F) Full-time student means a student who is enrolled in at least twelve (12) semester hours, eight (8) quarter hours, or the equivalent in another measurement system, but not less than the number sufficient to secure the certificate or degree toward which the student is working in no more than the number of semesters or their equivalent normally required by the institution for the program in which the student is enrolled, provided, however, that an otherwise eligible student having a disability as defined by the Americans with Disabilities Act (42 U.S.C. 12101-12213) who, because of his or her disability, is unable to satisfy the statutory minimum requirements for full-time status under Title IV student aid programs shall be considered by the approved institution to be a full-time student and shall be considered to be making satisfactory academic degree progress, as defined in subsection (1)(N) of this rule, while carrying a minimum of six (6) credit hours or their equivalent at the approved institution.

(G) Grant assistance or award shall be an amount of money paid to a qualified applicant pursuant to the provisions of this rule.

(H) His, him, or he shall apply equally to the female as well as the male sex in this rule.

(I) Institution of postsecondary education or approved institution shall be any private or public institution located in Missouri that meets the requirements set forth in section 173.1102(2) or (3), RSMo.

(J) Line of duty shall mean any action of an employee directly connected to their employment with the Department of Transportation, or of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, and who is authorized or obligated by law, rule, regulation, or condition of employment or service to perform such function.

(K) MDHE means the Missouri Department of Higher Education created by section 173.005, RSMo.

(L) Permanent and total disability shall mean a disability which renders a person unable to engage in any gainful work.

(M) Public safety officer shall be any firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer, or highway

patrolman employed by the state of Missouri or a political subdivision thereof who is killed or permanently and totally disabled in the line of duty.

(N) Satisfactory academic progress shall be determined by the approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965.

(O) Similar program funds shall be need-based funds an applicant receives under any federal or state grant aid programs.

(P) Spouse shall mean the husband, wife, widow, or widower of a public safety officer or employee at the time of death or permanent and total disability of such public safety officer or employee.

(Q) Survivor grant or grant shall mean the public safety officer or employee survivor grant as established by section 173.260, RSMo.

(R) Tuition or incidental fee shall be the amount charged for nondesignated and unrestricted fees by an institution of postsecondary education for an applicant to attend full-time at that institution as a resident of the state of Missouri.

(2) Responsibilities of Institutions of Postsecondary Education. Institutions participating in the Public Safety Officer or Employee Survivor Grant program must meet the requirements set forth in 6 CSR 10-2.140, Institutional Eligibility for Student Participation.

(3) Eligibility Policy.

(A) To be eligible for grant assistance under the survivor grant program, an applicant must meet the following conditions:

1. Be a citizen or permanent resident of the United States;
2. Be a resident of Missouri;
3. Be an eligible child or spouse of a public safety officer or employee who was killed or permanently and totally disabled in the line of duty; or be a public safety officer who was permanently and totally disabled in the line of duty;
4. Be enrolled or accepted for enrollment as a full-time undergraduate student in a course of study leading to a certificate or an associate or baccalaureate degree at an approved institution for the period of the grant;
5. Maintain satisfactory academic progress in his course of study, according to standards determined by the approved institution; and
6. Complete an application for grant assistance according to the provisions of this rule.



(B) No award shall be made under section 173.260, RSMo to any applicant who is enrolled or who intends to use the award to enroll in a course of study leading to a degree in theology or divinity.

(C) Grant assistance shall be allotted for one (1) academic year, but an applicant shall be eligible for renewed assistance until he has obtained a baccalaureate degree or, only in the case of an applicant who is an eligible child, has reached age twenty-four (24) years, whichever occurs first, except that the applicant may receive such grant assistance through the completion of the semester or similar grading period in which the eligible child reaches his twenty-fourth year.

(D) An eligible child of a public safety officer or employee, spouse of a public safety officer, or public safety officer shall cease to be eligible for a grant pursuant to section 173.260, RSMo, when the public safety officer or employee is no longer permanently and totally disabled.

(4) Application and Evaluation Policy.

(A) The CBHE annually shall prescribe the form of, and the time and method of filing, applications under the survivor grant program.

(B) An application for grant assistance under the survivor grant program shall be made annually by the applicant on the form prescribed by the CBHE.

(C) Completed applications must be received by the MDHE to be approved for grant awards.

(5) Award Policy.

(A) The maximum survivor grant program award amount for each applicant per academic year shall be the lesser of the actual tuition and incidental fees charged at the approved institution (maximum twelve (12) credit hours) where the applicant is enrolled or accepted for full-time enrollment; or the amount of tuition and incidental fees charged a Missouri undergraduate resident enrolled full-time (maximum twelve (12) credit hours) in the same class level (freshman, sophomore, junior, senior) and in the same academic major of the applicant at the University of Missouri.

(B) The applicant's survivor grant, when combined with similar program funds for which the applicant is eligible for and receives, shall not exceed the total cost of tuition and incidental fees charged by the approved institution for full-time enrollment.

(C) An applicant receiving an award under the survivor grant program shall have made satisfactory academic progress as defined by the approved institution in order to be eligible

for a subsequent award under the survivor grant program.

(D) Award amounts will be calculated and issued for each semester of enrollment in a given academic year and will be disbursed to the approved institution.

(E) Awards will not be made for periods of enrollment during the summer term(s).

(F) An applicant may change his approved institution choice prior to the beginning of the first day of classes and may transfer between approved institutions during the academic year. A new application is required to transfer the award. Failure to notify the MDHE by these dates of the change may result in loss of the award.

(G) Award notifications will be sent to applicants by the MDHE once applications have been approved and the awards have been determined. Notification of awards also will be sent to the student financial aid office at the approved institution in which the applicant plans to or has enrolled.

(H) The applicant's award will be sent to the approved institution to be endorsed by the applicant. The institution shall retain the portion of the award that the student owes for expenses and promptly give the applicant any remaining funds.

(6) Information Sharing Policy. All information on an individual's survivor grant application will be shared with the financial aid office of the institution to which the individual has applied or is attending to permit verification of data submitted. Information may be shared with federal financial aid offices if necessary to verify data furnished to the state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. 552a.

AUTHORITY: section 173.260, RSMo 2000. Original rule filed April 29, 1988, effective July 28, 1988. Amended: Filed May 27, 1999, effective Jan. 30, 2000. Amended: Filed Feb. 20, 2009, effective Aug. 30, 2009.*

**Original authority: 173.260, RSMo 1987, amended 1998.*

6 CSR 10-2.110 Wage Garnishment for Repayment of Defaulted Guaranteed Student Loans

PURPOSE: This rule sets forth policies and procedures of the Coordinating Board for Higher Education regarding the garnishment of borrowers' earnings to repay defaulted Missouri guaranteed student loans as authorized by section 173.115, RSMo.

(1) Definitions.

(A) Board—the Missouri Coordinating Board for Higher Education as established by the Omnibus State Reorganization Act, Law, 1974 p. 530.

(B) Borrower—any person who has become legally obligated to repay a loan made under the guaranteed student loan programs established under provisions of Title IV, Part B, of the Higher Education Act of 1965 or that person's guardian, trustee, estate or other person legally responsible for defending against or satisfying a borrower's obligations under the guaranteed student loan program.

(C) Department—the Missouri Department of Higher Education as established by the Omnibus State Reorganization Act, Law, 1974 p. 530.

(D) Earnings—compensation paid or payable for personal services, whether denominated wages, salary, commission, bonus or otherwise.

(E) Eligible lender—any bank, savings and loan association, credit union, insurance company, pension fund, eligible educational institution lender or the federal Student Loan Marketing Association or other secondary market operation that has executed a lender participation agreement with the department.

(F) Employer—any person, partnership, association, corporation, institution, governmental body, unit or agency, school district or municipal corporation or any other entity employing one (1) or more persons for a salary, wage, commission or other compensation, or any self-employed borrower.

(2) Statement of Claim.

(A) After the department has paid a loss on a defaulted loan, it shall enter a statement of claim in which it determines and sets forth the existence, nature and amount of the money due it by the defaulting borrower and a proposed payment schedule. The department shall inform the borrower that the department intends to initiate proceedings to collect the debt through deductions from earnings. The department also shall provide a copy of section 173.115, RSMo or an explanation of the borrower's rights under that section, and a form by which the borrower may request a hearing on the statement of claim.

(B) The statement of claim shall set forth at least the following for each loan on which a borrower has defaulted:

1. The name, last known address and Social Security number of the borrower;
2. The name and address of the eligible lender by which the loan was made;
3. The date on which the promissory note was signed by the borrower;